

Application No.: 10/782,922

Docket No.: 20140-00262-US1

REMARKS

Claims 14-24 are pending in the application. Claims 1-13 were previously canceled. The specification and abstract have been amended; claim 14 and claims 19-24 have been canceled and claims 15 and 17 have been amended by way of the present amendment. Reconsideration is respectfully requested.

Summary of Outstanding Office Action

In the outstanding Office Action, the Restriction Requirement of 12/01/2004 was withdrawn and a new Restriction Requirement was made; the specification was objected to because of informalities; the abstract was objected to because the abstract should be a concise statement of the technical disclosure; claims 14-16 were provisionally rejected under obviousness-type double patenting as being unpatentable over claims 19-20 of copending Application No. 10/816,882; claim 17 was provisionally rejected under obviousness type double patenting as being unpatentable over claims 19-20 of copending Application No. 10/816,882 in view of U.S. Patent No. 4,511,605 (McCartney); claims 14 and 17 were rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 6,108,091 (Pecen et al.); claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,117,000 (Anjur et al.) in view of Pecen et al.; claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Anjur et al. in view of Pecen et al. and in further view of McCartney; claims 15 and 16 were objected to as dependent upon a rejected base claim but would be allowable if the obviousness-type double patenting rejection is overcome and are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

First, Applicants wish to thank Examiner Staicovici for the early indication of allowable subject matter of claims 15 and 16. To that end, Applicant has filed a Terminal Disclaimer herewith to overcome the obviousness-type double patenting rejection and rewritten claim 15 in independent form, including all of the limitations of the base claim any intervening claims.

Application No.: 10/782,922

Docket No.: 20140-00262-US1

Since claims 16-18 are now ultimately dependent on claim 15, Applicants respectfully submit that those claims are also allowable.

Election/Restriction

A Restriction Requirement to one of the following invention was required under 35 U.S.C. 121:

- I. Claims 14-18, drawn to a molding process, classified in class 254, subclass 257; or
- II. Claims 19-24, drawn to a process of polishing a surface, classified in class 451, subclass 41.

In response to the Restriction Requirement, claims 14-18 has been elected and claims 19-24 have been withdrawn.

Obviousness-Type Double Patenting Rejections

Claims 14-16 were provisionally rejected under obviousness-type double patenting as being unpatentable over claims 19-20 of copending Application No. 10/816,882. Claim 17 was provisionally rejected under obviousness type double patenting as being unpatentable over claims 19-20 of copending Application No. 10/816,882 in view of U.S. Patent No. 4,511,605 (McCartney).

A terminal disclaimer has been filed herewith in compliance with 37 CFR 1.321(c) in order to overcome the obviousness-type double patenting rejections discussed above. Therefore, it is respectfully submitted that claims 14-17 are allowable.

Application No.: 10/782,922

Docket No.: 20140-00262-US1

Amendments to the Specification

The specification was objected to because of informalities. In response to the objection, the section on related applications was updated. Applicants respectfully request withdrawal of the outstanding rejection.

Amendment of Abstract

The abstract was objected to because the abstract should be a concise statement of the technical disclosure. In response to the rejection the Abstract has been rewritten to provide a more concise statement of the technical disclosure. Applicants respectfully request withdrawal of the objection.

102/103 Rejections

Claims 14 and 17 were rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 6,108,091 (Pecen et al.); claims 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,117,000 (Anjur et al.) in view of Pecen et al.; and claims 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Anjur et al. in view of Pecen et al. and in further view of McCamtey.

Claim 14 has been canceled by way of the present amendment. Claim 15 has been rewritten in independent form and indicated as allowable in lieu of the terminal disclaimer filed herewith. Claim 17 has been amended to depend upon amended claim 15. Therefore, Applicants respectfully submit that the 102/103 rejections discussed above are moot and claims 15-18 are allowable.

Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

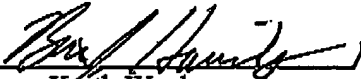
Application No.: 10/782,922

Docket No.: 20140-00262-US1

Applicant believes no fee is due with this response. However, if a fee is due, please charge IBM Deposit Account No. 50-0510, under Order No. 20140-00262-US1 from which the undersigned is authorized to draw.

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